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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,102	11/14/2001	William A. Hagen	76288-88015	8076

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EXAMINER

HWU, DAVIS D

ART UNIT PAPER NUMBER

3752

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,102

Applicant(s)

HAGEN ET AL.

Examiner

Davis Hwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 17-24 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-28 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 13, 29 and 30 is/are rejected.
- 7) ☒ Claim(s) 5-7, 9-12, 14-16 and 31-33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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R s p o n s t o A m e n d m e n t

1. Applicant's amendment and remarks of December 5, 2003 are acknowledged and entered as paper number 8.
2. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.
3. Please see the office action of September 17, 2003 for the appropriate 35 USC paragraphs.

Claim Rejections - 35 USC § 103

4. Claims 1-4, 8, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al. in view of McHugh.

The patent to Martin et al. discloses a single piece manifold for a fire sprinkler system comprising a body defining a conduit therethrough, an inlet 14 to the conduit for connecting the manifold to a supply of water, an outlet to the conduit for connecting the manifold to a domestic water supply system, a conduit for connecting the manifold to a fire sprinkler system (see Figure 1A) in which the conduit to the fire sprinkler system acts as a vent passage in communication with the conduit for the domestic water supply for preventing water from flowing through the conduit for the domestic water supply when there is a pressure surge in the water supply. Martin et al. do not disclose a main valve and a check valve arrangement as recited. The patent to McHugh teaches a fire suppression system comprising a conduit 30, an inlet to the conduit for connecting the conduit to a supply of water, a main valve 44, and a check valve arrangement in the conduit for preventing reflux of water back into the water supply in which the check

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valve arrangement comprises a first check valve 55 and a second check valve 70 as recited in claim 2. McHugh also teaches a fire alarm means responsive to the movement of the second check valve 70 as recited in claim 8. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Martin et al. by providing a main valve to allow or prevent water flow into the manifold and providing a check valve arrangement in the conduit to prevent reflux of water back into the water supply as taught by McHugh. Since Martin et al. teaches the concept of venting water through another conduit when there is a pressure surge in the water in order to protect a water distribution system, it would be obvious to one having ordinary skill in the art through the teaching of Martin et al. that the same concept of venting the water going to a fire sprinkler system could be used in order to protect the sprinkler system from a pressure surge in the water supply.

Regarding claim 3, check valves being biased closed by a spring means are well known in the art. The pressure as recited in claim 4 would have been an obvious matter of design choice. Having the vent passageway communicating with the atmosphere as recited in claim 13 would have been an obvious matter of design choice.

5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over McHugh.

The first and second valves having first and second seats respectively as recited is well known in the art.

Claim Rejections - 35 USC § 102

6. Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by McHugh.

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The patent to McHugh shows a single piece manifold for a fire sprinkler system comprising the limitations of the instant invention including a means for preventing the sounding of false alarms using an alarm valve and including a first valve and a second valve (the alarm valve) as recited in claim 30.

Allowable Subject Matter

7. Claims 5-7, 9-12, 14-16, and 31-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 25-28 are allowed.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davis Hwu whose telephone number is 703-305-1663. The examiner can normally be reached on M-F 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Y. Mar can be reached on (703)308-2087. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0861.



Davis Hwu